

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

LISA A. SUTER, et al.,)
Plaintiffs,)
v.) Case No. 06-4032-CV-W-HFS
LARRY CRAWFORD, et al.,)
Defendants.)

MEMORANDUM TO COUNSEL

In order to save time in our telephone conference tomorrow, I offer the following impressions:

The preliminary injunction issue, which includes argument on the merits, will be fully briefed on October 15 (see doc. 163). That will free me to review all issues.

Summary judgment issues would seem largely repetitious of what would be said regarding a preliminary injunction. Plaintiffs' opposition to defendants' motion might be scheduled for October 20 and any reply would be due by October 27.

Defendants' opposition to plaintiffs' summary judgment motion could be scheduled for October 27, with any reply due by October 31.

Argument at the Kansas City courthouse, if desired, could be scheduled for November 6. I would anticipate giving notice of my ruling on a preliminary injunction by November 12, with any appropriate reasoning delayed if needed.

In order to avoid repetition the parties should be free to adopt specified earlier briefing, if deemed adequate, with minor supplementation.

In light of the unusually large record already on file, I anticipate no need for a further hearing on the preliminary injunction issue. Ruling on that issue and on the summary judgment issues may avoid a trial early next year. If not, a trial of several days would seem to be the maximum appropriate.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

October 7, 2008

Kansas City, Missouri